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**OFFICE OF PETITIONS**

ON PETITION

In re Application of  
Philpott  
Application No. 09/728,748  
Filed: September 28, 2000  
Attorney Docket No. PH-17  
For: Veronica Plant Named "Glory"

This is a decision on the petition under 37 CFR 1.137(b), filed on February 1, 2005 (certificate of mailing date January 29, 2005) to revive the above-identified application.

The above-identified application became abandoned for failure to properly reply in a timely manner to the September 13, 2001 non-final Office action which set an extendable three (3) month period for reply. A not fully responsive reply was received in the Office on January 18, 2002 (certificate of mailing date November 26, 2001). No extensions of time having been obtained pursuant to 37 CFR 1.136(a) and no proper reply being received in the Office, this application became abandoned on December 14, 2001. A Notice of Abandonment was mailed on June 4, 2002.

Applicant has submitted a seemingly proper reply to the September 13, 2001 non-final Office action, an acceptable statement of the unintentional nature of the delay in responding to the September 13, 2001 non-final Office action, and the petition fee.

The petition is **GRANTED**.

After the mailing of this decision the application will be forwarded to Technology Center 1600 for consideration of the January 18, 2002 (certificate of mailing date November 26, 2001) and June 29, 2004 (certificate of mailing date June 24, 2004) submissions.

Telephone inquiries pertaining to this decision may be directed to the undersigned at (571) 272-3230.

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